

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**Date of filing in State Engineer's Office JUL 14 1992

Returned to applicant for correction _____

Corrected application filed _____ Map filed JUL 14 1992The applicant F.I.M., Corp.P.O. Box 12 of Smith
Street and No. or P.O. Box No. City or TownNevada 89430 hereby make application for permission to change the
State and Zip Code No.Point of Diversion and Place of Use of a portion
Point of diversion, manner of use, and/or place of useof water heretofore appropriated under Permit #26730
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.1. The source of water is Underground
Name of stream, lake, underground spring or other source.2. The amount of water to be changed .066 c.f.s.
Second feet, acre feet. One second foot equals 448.83 gallons per minute.3. The water to be used for Irrigation and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.4. The water heretofore permitted for Irrigation and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.5. The water is to be diverted at the following point SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 9, T.10N., R.24E., MDB&M, or
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
at a point from which the NW corner of Sec. 5, T.10N., R.24E., bears N 37° 57'
30" W, a distance of 9201.00'6. The existing permitted point of diversion is located within NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 8, T.10N., R.24E., MDB&M,
If point of diversion is not changed, do not answer.
or at a point from which the NW corner of Sec. 5, T.10N., R.24E., bears N 5° 32'
W a distance of 8664.6'7. Proposed place of use in portions of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the S $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 4, T.10N., R24E.,
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
MDB&M.8. Existing place of use See Exhibit "A" 10 acres being stripped in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 6,
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
T.10N., R.24E., M.D.B.&M. per map9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Well, casing, pump and pipelines.
State manner in which water is to be diverted, i.e. diversion structure.ditches, pipes and flumes, or drilled well, etc.12. Estimated cost of works \$15,00013. Estimated time required to construct works 2 years

14. Estimated time required to complete the application of water to beneficial use 3 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

By s/Katherine A. Rice

P.O. Box 130
Smith, NV 89430

Compared bc/bc bk/vjw

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 26730, Certificate 9762 is issued subject to the terms and conditions imposed in said Permit 26730, Certificate 9762 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.066 cubic feet per second, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before May 15, 1996

Proof of completion of work shall be filed before June 15, 1996

Application of water to beneficial use shall be made on or before October 15, 1997

Proof of the application of water to beneficial use shall be filed on or before November 15, 1997

Map in support of proof of beneficial use shall be filed on or before November 15, 1997

Completion of work filed OCT 28 1997

Proof of beneficial use filed _____

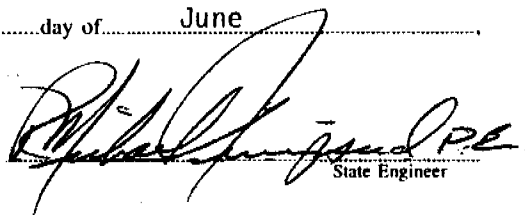
Cultural map filed _____

Certificate No. _____ Issued _____

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 21st day of June

A.D. 19 95


State Engineer

Abrogated By 64860 0.066

(PERMIT TERMS CONTINUED)

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 57565, 57566 and 57851 shall not exceed 372.0 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The issuance of this permit requires that a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion from the well under Permit 26730, Certificate 9762 and accurate measurements must be kept of the water placed to beneficial use. The totalizing meter must be installed at this location at the time of completion of the well drilled under Permit 57851.

Exhibit "A"

Description of land to which the water is appurtenant:

35 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 6, T.10N., R.24E., M.D.B.&M.
 36 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 6, T.10N., R.24E., M.D.B.&M.
 15 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 6, T.10N., R.24E., M.D.B.&M.
 40 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 6, T.10N., R.24E., M.D.B.&M.
 38 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 6, T.10N., R.24E., M.D.B.&M.
 39 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 6, T.10N., R.24E., M.D.B.&M.
 38 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 6, T.10N., R.24E., M.D.B.&M.
 20 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 6, T.10N., R.24E., M.D.B.&M.
 38 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 6, T.10N., R.24E., M.D.B.&M.
 36 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 8, T.10N., R.24E., M.D.B.&M.
 23 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 8, T.10N., R.24E., M.D.B.&M.
 32 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 8, T.10N., R.24E., M.D.B.&M.
 36 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 8, T.10N., R.24E., M.D.B.&M.
 11 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 8, T.10N., R.24E., M.D.B.&M.
 21 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 8, T.10N., R.24E., M.D.B.&M.
 458 acres total